

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ FEB 9 5 2010 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

-----X
PAUL GOSLING,

Plaintiff,

-against-

THE CITY OF NEW YORK, DETECTIVE IDRIS
MOJEED, Tax # 930752, DETECTIVE CHARLES
STEWART, shield # 2387, DETECTIVE ALBERT
JACKSON, shield # 3573

Defendants.
-----X

**STIPULATION AND
ORDER OF
SETTLEMENT AND
DISCONTINUANCE**

09 CV 3778 (ILG)(CLP)

WHEREAS, plaintiff commenced this action by filing a complaint on or about September 1, 2009, alleging that defendants violated his constitutional rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability; and

WHEREAS, plaintiff has authorized his counsel to settle this matter on the terms set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. This above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.
2. Defendant City of New York hereby agrees to pay plaintiff Paul Gosling the total sum of TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$22,500.00) in full satisfaction of all claims, including claims for costs, expenses and attorney's fees. In consideration for the payment of this sum, plaintiff agrees to dismissal of all the claims against

the City of New York and the individually named defendants, and to release all defendants, and any present or former employees or agents of the City of New York, from any and all liability, claims, or rights of action that have or could have been alleged by plaintiff arising out of the events alleged in the complaint in this action, including claims for costs, expenses and attorney's fees.

3. Plaintiff shall execute and deliver to defendant's attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraph "2" above and Plaintiff's Affidavit of Status of Liens.

4. Nothing contained herein shall be deemed to be an admission by the City of New York that it has in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.


6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
January 21, 2010

Richard J. Cardinale, Esq.
Attorney for Plaintiff
26 Court Street, Suite 1815
Brooklyn, New York 11242
(718) 624-9391

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendant City of NY
and Detective Idris Mojeed
100 Church Street
New York, N.Y. 10007
(212) 788-0886

By:


Richard J. Cardinale, Esq.

By:


Mary O'Flynn

SO ORDERED:

S/ILG

U.S.D.J.

7/4/10



MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 NASSAU STREET
U.S. DISTRICT COURT
DISTRICT OF BROOKLYN

★ FEB 05 2010 ★

BROOKLYN OFFICE
BROOKLYN OFFICE

January 28, 2010

ALEXANDRA CORSI
Assistant Corporation Counsel
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BY ECF

Honorable I. Leo Glasser
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

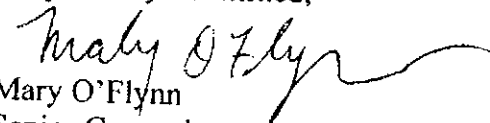
Re: Gosling v. City of New York, et al., 09 CV 3778 (ILG) (CLP)

Dear Judge Glasser:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and the supervising attorney for the City of New York.¹ I am writing on behalf of the parties to inform the Court that the case has been settled, and to respectfully request that the Court endorse the enclosed Stipulation of Settlement and Order of Dismissal.

Thank you for your consideration in this regard.

Respectfully Submitted,


Mary O'Flynn
Senior Counsel
Special Federal Litigation

Enc.

¹ This case has been assigned to Assistant Corporation Counsel Alexandra Corsi, who is presently awaiting admission to the bar and is handling this matter under supervision. Ms. Corsi may be reached directly at (212) 788-1090.